

Remarks

Claims 1-10 are currently pending.

Specification

The Examiner requested a new Abstract be presented on a separate sheet.

Applicant submits an Abstract according to the Examiner's request.

35 U.S.C. §§ 102

The Examiner rejected claims 1 and 4-10 under 35 U.S.C. § 102(b) as being anticipated by Donenfeld (U.S. Pat. No. 4,576,610). Applicant respectfully traverses this rejection for the following reasons.

As currently amended, claim 1 recites a method of dyeing or printing cellulose-containing fibre material using a disperse dye, which comprises treating the fibre material according to an exhaust method or pad-dyeing method with an aqueous composition comprising a water-soluble or water-dispersible polyester resin and a water-soluble or water-dispersible acrylate binder. Support for this amendment can be found at, for example, paragraph [0080] of US 2006/0048308.

In comparison, Donenfeld discloses a sublimation dye transfer printing method which involves transferring a dye, polyester resin and binder from a printing element to fabric via heat. Donenfeld does not expressly or inherently disclose a method in which fibre material is treated with an aqueous composition comprising a polyester resin and acrylate binder according to an exhaust method or pad-dyeing method as presently claimed. Since each and every element as set forth in claim 1 is not found in Donenfeld, Applicant respectfully submits that claim 1, and all claims depending on claim 1, are not

anticipated. Accordingly, Applicant respectfully requests the rejections under § 102(b) be withdrawn.

35 U.S.C. § 103(a)

The Examiner rejected claims 1 and 4-10 under 35 U.S.C. § 103(a) as being obvious over Donenfeld (U.S. Pat. No. 4,576,610). The Examiner also rejected claims 2 and 3 under 35 U.S.C. § 103(a) as being obvious in view of Donenfeld and further in view of Fukui et al. (U.S. Pat. No. 5,529,586) and Yamane et al. (U.S. Pat. No. 4,210,412). Applicant respectfully traverses this rejection for the following reasons.

For the reasons set forth above, Donenfeld does not teach or suggest a method in which fibre material is treated with an aqueous composition comprising a water-soluble or water-dispersible polyester resin and a water-soluble or water-dispersible acrylate binder according to an exhaust method or pad-dyeing method as presently claimed. Moreover, the sublimation dye transfer printing method taught in Donenfeld is entirely different than the method presently claimed. Sublimation dye transfer printing involves applying the dye and polyester resin + binder to release paper as a solid or semi-solid (i.e. paste) formulation to produce a printing element. From this printing element, the dye and polyester resin and binder are transferred to the fabric by sublimation and migration via the application of heat. Thus one skilled in the art, when reading Donenfeld as a whole, could not have predicted that treating fibre material with an aqueous composition comprising a polyester resin and acrylate binder by an exhaust or dye-padding method could produce dyeings or prints having surprisingly good all around fastness properties and level dyeings.

Adding the teachings of Fukui et al. or Yamane et al. does not bring one skilled in the art closer to Applicant's presently claimed method. Fukui et al. merely discloses certain disperse dyes suitable for dyeing hydrophobic fibre materials. Yamane et al. teaches the use of a cross-linking agent in a transfer printing method. Neither publication teaches or suggests a method in which fibre material is treated according to an exhaust method or pad-dyeing method with an aqueous composition comprising a water-soluble or water-dispersible polyester resin and a water-soluble or water-dispersible acrylate binder as presently claimed. Accordingly, Applicant respectfully requests the rejection under 103(a) be withdrawn and the issuance of a Notice of Allowance toward the pending claims.

Double Patenting

The Examiner rejected claims 1 and 2 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Pat. No. 6,284,004 in view of Donenfeld.

Claim 1 of U.S. Pat. No. 6,284,004 is directed to a process for printing textile fibre materials by the ink-jet printing process. For the reasons set forth above, neither publication, alone or in combination, teaches or suggests a method in which fibre material is treated according to an exhaust method or pad-dyeing method with an aqueous composition comprising a water-soluble or water-dispersible polyester resin and a water-soluble or water-dispersible acrylate binder as presently claimed. Accordingly, Applicant respectfully requests the double patenting rejection be withdrawn and the issuance of a Notice of Allowance toward the pending claims.

Should any fee be due in connection with the filing of this document, the Commissioner for Patents is hereby authorized to deduct said fee from Huntsman Corporation Deposit Account No. 08-3442.

Respectfully Submitted,

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